

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Draft Resolution No. 16-027 Setting Public Hearing to consider Draft Ordinance 16-027 amending allowed uses and development regulations for the W-C Woodmont Commercial Zone

ATTACHMENTS:

1. Draft Resolution No. 16-027 Setting a Public Hearing Date for Draft Ordinance No. 16-027
2. Draft Ordinance No. 16-027 Amending the W-C- Woodmont Commercial Zone
3. Valley Cities Press Release (2/19/2016)
4. Valley Cities Letter (3/10/2016)

FOR AGENDA OF: March 31, 2016

DEPT. OF ORIGIN: Planning, Building and Public Works

DATE SUBMITTED: March 22, 2016

CLEARANCES:

- ☐ Legal _____
- ☐ Finance N/A
- ☐ Marina N/A
- ☐ Parks, Recreation & Senior Services N/A
- ☒ Planning, Building & Public Works DJB
- ☐ Police N/A
- ☐ Courts N/A
- ☐ Economic Development _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this Agenda Item is for the City Council to consider Draft Resolution No. 16-027 (Attachment 1) which will set a public hearing date for the consideration of Draft Ordinance No. 16-027 (Attachment 2) that would amend the Des Moines Municipal Code Table 18.52.010B Commercial Zone Primary Uses to allow mixed use within the W-C Woodmont Commercial Zone, and amend development regulations for the W-C Woodmont Commercial Zone in chapters 18.127.030, 18,127.060, 18.127.070 and 18.210.090 DMMC. The following motion will appear on the consent calendar:

Suggested Motion

Motion 1: "I move to adopt Draft Resolution No. 16-027 setting a public hearing on May 26, 2016, or as soon thereafter as the matter may be heard, to consider Draft Ordinance No. 16-027 amending allowed uses and development regulations for the W-C Woodmont Commercial Zone."

Background

The Pacific Highway South Corridor is a key commercial area where significant private and public investment have been, are being, and will be made in the near future that support the City of Des Moines

goals of fostering economic development, creating jobs, and increasing revenues. This commercial corridor includes Midway (Kent-Des Moines Road to South 272nd Street).

Midway is influenced by planning and development efforts underway by Sound Transit, King County Metro, Highline College, the Cities of Des Moines, Kent and Federal Way, the Washington State Department of Transportation, Healthpoint, Sea Mar, and Growing Transit Communities. As such, Des Moines has an opportunity to influence decisions that will be made in the near future by having the planning, policy and regulatory framework in place that best represents the City's vision as to how it wants this area to develop to support the City economically and support the following significant transportation improvements in these areas:

- Sound Transit's Federal Way Link Extension
- Metro's RapidRide
- WSDOT's SR509/I-5 Freight Mobility Project
- Metro's Transit Center at Highline College

In early 2014, the City Council directed staff to evaluate existing land use and zoning along the Pacific Highway South corridor and identify opportunities to create more appropriate development regulations under the direction of the Finance and Economic Development Committee.

Throughout 2014, the City completed subarea planning for the Pacific Highway South/South 240th Street Node that included rezoning properties from the Highway Commercial (H-C) Zone to the new Transit Commercial (T-C) Zone, and the creation of new preferred land use designations that were adopted with the 2015 Comprehensive Plan update. For the area around South 240th Street.

In late 2014, Staff discussions with the Council Finance and Economic Development Committee focused on changes to development regulations to the C-C Community Commercial Zone in the Woodmont Neighborhood, and included discussion of higher density and mixed use proposals for the area along Pacific Highway South and at the South 272nd Street node to match those found in the T-C zone in anticipation of a light rail station in the vicinity. The zone for this area was subsequently renamed to W-C Woodmont Commercial Zone in order to differentiate this area from C-C zoned properties in the Redondo Neighborhood.

In early 2015, the City Council enacted Ordinance 1618-A, setting development regulations for the W-C Woodmont Commercial Zone. One of the policy questions raised at that time was if "mixed use" should be an allowed as a permitted use in the W-C Zone as it was in the C-C Zone. At that time, the Council direction was not to include mixed use.

Since that time, there has been more interest in providing mixed use in this area, including interest from Sound Transit, as a means to foster transit oriented development near the 272nd Street Station area. Sound Transit held a meeting on March 8th, 2016 to discuss transit oriented development around the South 272nd Street node.

According to the February 19, 2016 press release by Valley Cities (Attachment 3), they have signed an agreement with a potential buyer (Michael Lai) for their Woodmont property. On March 10, 2016, The City received a letter from Valley Cities formally withdrawing the Conditional Use Permit LUA 2014-0038, and supporting the addition of mixed use in the Woodmont Commercial Zone south of South 268th Street (Attachment 4).

Discussion

The proposed ordinance focuses on amendments to the W-C Zone to include “mixed use” as a permitted use south of South 268th Street, and to increase building heights from 55 feet to 65 feet in that area of the zone south of South 268th Street.

These proposals build upon and reflect the work completed during the *Envision Midway* project working closely with staff from Sound Transit, the City of Kent, Highline College, property and business owners, and residents adjacent to the corridor. It reflects what was heard from stakeholders during *Envision Midway* and complements the new Transit Community Zone to finalize the subarea plan for the Midway area that includes: improving development regulations; creating overlay zones around future and potential light rail station areas; developing informative but not overly restrictive design guidelines; capital improvement plans; and funding strategies.

Alternatives

The City Council may:

1. Adopt the proposed Draft Resolution.
2. Adopt the proposed Draft Resolution with a different hearing date.
3. Decline to adopt the Draft Resolution and remand the Draft Ordinance 16-027 back to the Finance and Economic Development Committee for further work.

Financial Impact

N/A

Recommendation or Conclusion

None.

CITY ATTORNEY'S FIRST DRAFT 3/10/2016

DRAFT RESOLUTION NO. 16-027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, setting a public hearing to consider Draft Ordinance No. 16-027 amending the Des Moines Municipal Code Table 18.52.010B Commercial Zone Primary Uses to allow mixed use within the W-C Woodmont Commercial Zone, and amending development regulations for the W-C Woodmont Commercial Zone in chapters 18.127.030, 18.127.060, 18.127.070 and 18.210.090 DMMC.

WHEREAS, the City Council directed City staff to prepare an ordinance for its consideration that amends Table 18.52.010B Commercial Zones Primary Uses to allow mixed use as a permitted use in the W-C Woodmont Commercial Zone, and to amend the development regulations for the W-C Woodmont Commercial Zone in Chapters 18.127 and 18.210, and

WHEREAS, a public hearing is necessary to receive public comment regarding amendments to Title 18 DMMC, and

WHEREAS, a public hearing is required for adoption of an ordinance which amends a portion of the Title 18 DMMC commonly referred to as the Zoning Code; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

The matter of amendments to chapter 18.52.010B DMMC, chapter 18.127 and chapter 18.210 for the W-C Woodmont Commercial zone, is set for a public hearing before the City Council on Thursday, May 26, 2016, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers, 21630 11th Avenue South, Suite B, Des Moines, Washington.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____th day of _____ and signed in authentication thereof this ____ day of _____.

M A Y O R

Resolution No. ____
Page 2 of ____

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

CITY ATTORNEY'S FIRST DRAFT 3/10/2016

DRAFT ORDINANCE NO. 16-027

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON amending the Des Moines Municipal Code Table 18.52.010B Commercial Zone Primary Uses to allow mixed use within the W-C Woodmont Commercial Zone, and amending development regulations for the W-C Woodmont Commercial Zone in chapters 18.127.030, 18.127.060, 18.127.070 and 18.210.090 DMMC.

WHEREAS, in 2008 the cities of Des Moines and Kent initiated *Envision Midway*, a joint planning effort for the Midway-Woodmont area from Kent-Des Moines Road to South 272nd Street, and

WHEREAS, in 2009, Des Moines adopted Comprehensive Plan Strategy 2-04-12 that directs the City to prepare a subarea plan/s, prepare zoning amendments and prepare design guidelines for the light rail station areas to be located within the South Des Moines and Woodmont Neighborhoods, considering the joint planning with the City of Kent on the Midway area, and

WHEREAS, Transportation Element Public Transit Strategies 3-05-04 (7) supports the Sound Transit light rail (LRT) station(s) in the Pacific Ridge, Midway and Woodmont areas on Pacific Highway South, (10) directs the City to work with Sound Transit on station area planning for the Midway and South 272nd Street stations, and (11) directs the City to coordinate with the City of Kent for the Midway subarea, and

WHEREAS, Parks, Recreation and Open Space Strategy 6-02-04 identifies the Pacific Highway Business Districts in Midway, East Woodmont and Redondo as opportunities for interconnections between economic and recreational expansion and for the establishment of other recreational facilities for Des Moines citizens, and

WHEREAS, the City of Kent completed their planning work and updated their development regulations for this area in 2011, and

WHEREAS, on January 9, 2014, the City Council directed City staff to evaluate existing land use and zoning along the Pacific Highway South corridor and identify opportunities to create more appropriate development regulations under the direction of the Finance and Economic Development Committee, and

WHEREAS, on June 26, 2014, the City Council enacted Ordinance No. 1601 thereby establishing new Transit Community Zone development regulations for that portion of the corridor between Kent-Des Moines Road and South 252nd Street, and

WHEREAS, the City Council supports commercial and higher density redevelopment along Pacific Highway South in the area between South 252nd Street and South 272nd Street to complement the new Transit Community Zone created by Ordinance No. 1601, and

WHEREAS, on March 12, 2015, the City Council enacted Ordinance No. 1618-A establishing development regulations for the Woodmont Commercial Zone for that portion of the corridor between South 252nd Street and South 272nd Street, and

WHEREAS, the current Woodmont Commercial zoning along Pacific Highway South was designed to capitalize on the 33,000 cars per day which use Pacific Highway South, but does not capitalize on transit oriented development opportunities related to the extension of Link Light Rail and Station to be located in the South 272nd Street vicinity in the near future, and

WHEREAS, the City Council directed City staff to prepare an Ordinance for its consideration which would increase density and allow for mixed use developments for the portion of the Woodmont Commercial zone south of South 268th Street, and

WHEREAS, the Planning, Building and Public Works Director acting as the SEPA responsible official reviewed this proposed non-project action and determined that the proposed textual code amendments are within the scope of the existing environmental documents and fulfilled the SEPA requirements established by chapter 197-11 WAC and chapter 165.04 DMMC pursuant to WAC 197-11-600 and DMMC 16.04.108, and

WHEREAS, pursuant to DMMC 18.20.080A, amendment of the Zoning Code (Title 18 DMMC) is a legislative (Type VI) land use decision, and

WHEREAS, pursuant to DMMC 18.20.210 amendments to the Zoning Code (Title 18 DMMC) require the City Council to conduct a

public hearing to receive public comment regarding this proposal, and

WHEREAS, DMMC 18.30.100(3) requires that the date of the public hearing to consider amendments to Title 18 DMMC be set by motion of the City Council, and

WHEREAS, the City Council set the date for the public hearing by Resolution No. _____, fixing the public hearing for _____, 2016 as required, and

WHEREAS, the textual code amendments proposed in this Draft Ordinance were provided to the Department of Commerce as required by RCW 36.70A.106, and

WHEREAS, notice of the public hearing was issued on _____, 2016 in accordance with the DMMC, and

WHEREAS, a public hearing was held on _____, 2016 where all persons wishing to be heard were heard, and

WHEREAS, the City Council finds that the amendments contained in Draft Ordinance 16-027 are appropriate and necessary; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

SEC. 1. DMMC 18.127.030 Purpose, and section 3 of Ordinance No. 1618-A are amended to read as follows:

The W-C Commercial Zone is primarily intended to enhance, promote and maintain commercial business areas, and to ensure land use compatibility among businesses in terms of permitted uses, building height, bulk, and scale; to provide a commercial area that reflects its commercial-oriented function; to serve the general public; and to ensure that development occurs consistent with the goals, policies, and implementation strategies of the City of Des Moines Comprehensive Plan. South of South 268th Street, the zone allows for a more intense and efficient use of land at increased densities for the mutual support of public investments and private development, while acknowledging the existing businesses along the State Route 99 corridor that serve a broader, regional clientele. Uses and development are regulated

to create a moderately dense built-up environment, oriented to pedestrians, and ensuring a density and intensity that is transit supportive.

SEC. 2. DMMC 18.127.060 Dimensional standards, and section 6 of Ordinance No. 1618-A are amended to read as follows:

(1) ~~Height.~~ Maximum building height. Buildings and structures may be built to is 55 feet, except that buildings and structures south of South 268th Street may be built to 65 feet.

(2) Minimum Building Height. Except for buildings containing only a full-service restaurant, and other instances specifically authorized by the City Manager or the City Manager's designee in writing, no building shall be less than the height specified below:

(a) No minimum building height for commercial projects, and 55 feet for residential or mixed use projects.

(b) For the purposes of this subsection, minimum building height shall not include decorative towers or appurtenances, roof slopes out of character with the building's architecture, or other contrivances provided solely for achievement of the required minimum building height. In calculating minimum building height, the City Manager or the City Manager's designee shall include regular architectural features enclosing functional, occupiable building areas.

(3) Building Height Limitation Adjacent to Single-Family. When an abutting property is zoned Single-Family Residential, building height shall be limited as follows:

(a) Every lot shall have a rear yard setback of not less than 20 feet when abutting single-family zoned properties, except as otherwise permitted in subsection (7) of this section.

(b) Within 40 feet of the abutting Single-Family Residential Zone, maximum building height shall be 45 feet.

(c) During the design review and environmental review, the City Manager or the City Manager's designee may impose other conditions of approval in order to mitigate potential height, bulk, and scale impacts upon adjacent single-family residents not sufficiently mitigated by existing regulations.

(4) Front Yard. No front yard setback is required.

(5) Side Yard. Every lot shall have a side yard of not less than 20 feet when abutting single-family zoned properties, except as otherwise permitted in subsection (7) of this section.

(6) Rear Yard. Every lot shall have a rear yard of not less than 20 feet when abutting single-family zoned properties, except as otherwise permitted in subsection (7) of this section.

(7) Adjustment of Required Yards. The required rear or side yard area shall be reduced to a minimum of five feet; provided, that:

(a) A development site or potential project area is planned or may be planned for multiple buildings together as one development or in different development

phases either under common ownership or separate ownership; and

(b) Buildings on a site or potential project area are served by a private, joint-use access or street which separates the rear yard area of one development site or project area from another development site or project area; and

(c) A physical separation of not less than 30 feet is provided between buildings which shall include the space or distance located within any such shared, joint-use access or street together with the yard areas adjoining and abutting buildings and said shared streets.

(8) Underground structures are permitted in all required setback areas.

(9) Height Allowance for Enhanced Design of Distinctive Rooflines. A portion of a building may exceed the maximum building height; provided, that the following provisions are met:

(a) The purpose of the additional height for the building is to provide a roofline that is of distinctive form through the use of design elements such as pitched roofs, sloped roofs, vertical offsets or other similar roof features that achieve the goals of the design guidelines in DMMC 18.136.070.

(b) The maximum building height established in subsections (1) and (3) of this section shall only be increased by a maximum of 10 percent.

(c) Architectural features associated with the distinctive roofline shall be used to emphasize significant architectural elements of the building such as the main entrance of the

building or the building's orientation to a corner, or to provide for pitched or sloped roofs for the building.

(d) Height allowed for distinctive rooflines under this section shall not be used to determine the building height for the purposes of establishing the maximum gross floor area under DMMC 18.136.070(3).

(e) The building area or amount of building structure extending above the maximum height established in subsection (3) of this section shall be limited to 30 percent of the building roof deck area. When multiple building rooflines exist at different building levels or stories, the 30 percent requirement shall only apply to the area of the roof deck of the tallest portion of a building.

SEC. 3. DMMC 18.127.070 General building design requirements, and section 7 of Ordinance No. 1618-A are amended to read as follows:

Development within the W-C Zone shall conform to the following building design requirements:

(1) General Design Guidelines.

(a) Building design shall be compatible with the site and with adjoining buildings. Building modulation and other design techniques to add architectural interest and minimize building mass shall be used. Variety in detail, form, and siting shall be used to provide visual interest.

(b) Building components such as windows, doors, eaves, and parapets shall be in proportion to each other.

(c) Colors shall be harmonious, with intense colors used only for accent.

(d) Mechanical equipment shall be integrated into building design or screened from on-site and off-site views.

(e) Exterior lighting fixtures and standards shall be part of the architectural concept and harmonious with building design.

(2) Development within the W-C Zone shall conform to the design review requirements established in DMMC 18.235.100.

(3) Maximum Gross Floor Area.

(a) The maximum gross floor area for buildings within the Woodmont Commercial Zone shall be determined by multiplying the lot area of the site by the floor area ratio (FAR) number established in the following table:

Building Height	W-C FAR
35 Feet or Less	2.8
35 - 50 <u>60</u>	3.5 <u>4.0</u>
50 <u>60</u> - 55 <u>65</u>	<u>4.5</u>

(b) Gross floor area shall include the total square footage of the enclosed building as further defined in DMMC 18.01.050.

SEC. 4. DMMC 18.52.010B Commercial use chart, and section 133 of Ordinance 1591, section 12 of Ordinance 1601, section 8 of Ordinance No. 1618-A, and section 2 of ordinance 1644 are amended to read as follows:

TABLE 18.52.010B

COMMERCIAL ZONE PRIMARY USES

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	<u>N-C</u>	<u>I-C</u>	<u>B-P</u>	<u>C-C</u>	<u>D-C</u>	<u>H-C</u>	<u>PR-C</u>	<u>T-C</u>	<u>W-C</u>
Accessory buildings and uses (as described in the applicable zone)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Admin, support services	<u>P/L</u> _[3]	—	<u>P</u>	<u>P/L</u> _[16]	<u>P/L</u> _[22]	—	<u>P</u>	<u>P</u>	<u>P</u>
Adult family homes	—	—	—	<u>P</u>	<u>P</u>	—	<u>P</u>	<u>P</u>	<u>P</u>
Adult entertainment facilities	—	—	—	—	—	—	<u>P/L</u> _[46]	—	—
Amusement and recreational services	—	—	—	<u>P/L</u> _[16]	<u>P/L</u> _[22]	—	—	—	<u>P/L</u> _[68]
Amusement parks	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	—	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>
Animal or veterinary services			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Antenna system (one)	<u>P/L</u> _[6]								
Animal grooming	<u>P/L</u> _[3]		<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>
Antenna systems (not accessory)	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>
Apparel and accessories stores	<u>P/L</u> _[1]		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Arrangement of passenger transportation	<u>P/L</u> _[3]			<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>
Art galleries	<u>P</u>			<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>
Art, glassware manufacturing			<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>
Art, ornamental ware				<u>P</u>	<u>P</u>				<u>P</u>

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	<u>N-C</u>	<u>I-C</u>	<u>B-P</u>	<u>C-C</u>	<u>D-C</u>	<u>H-C</u>	<u>PR-C</u>	<u>T-C</u>	<u>W-C</u>
Arts, entertainment, and recreation facilities				P/L _[16]	P/L _[22]		P	P	P
Auction houses or stores				P	P	P/L _[41]	P		P
Automobile, body, paint, interior and/or glass repair				P/L _[18]	P/L _[25]		P/L _[48]		P/L _[70]
Automobile, detail shop				P/L _[18]	P/L _[25]		P/L _[48]		P/L _[70]
Automobile, maintenance and repair				P/L _[18]	P/L _[25]	P	P/L _[48]		P/L _[70]
Automobile, parking	P/L _[5]		P	P/L _[16] [20]	P/L _[22]	P	P	P/L _[54]	P/L _[72]
Automobile, sales						P	P/L _[43]		
Automobile, service stations				P/L _[18]	P/L _[25]	P/L _[36]	P/L _[48]		P/L _[70]
Automobile, trailer sales						P	P		
Automotive equipment, rental and leasing				P	P	P	P	P/L _[53]	P
Bakeries, manufacturing and retail sales	P/L _[1]		P			P		P/L _[55]	P/L _[73]
Ballparks	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP
Banks				P	P		P	P	P
Barber, beauty and hairstyling shops	P/L _[3]			P	P		P	P	P
Bed and breakfast facilities				P	P		P	P	P
Boats, building and repairing (less than 48 feet)						P	P		
Boats, repair/sale						P	P		
Boat moorage	P/L _[3]					P/L _[42]			
Botanical and zoological gardens				P	P		P		P
Bookbinding			P			P		P	P
Booster stations	UUP	UUP	UUP	UUP		UUP	UUP	UUP	UUP
Boxing and wrestling arenas	CUP	CUP	CUP	CUP		CUP	CUP	CUP	CUP

<u>Use is:</u> <u>P: Permitted</u> <u>P/L: Permitted, but</u> <u>with special</u> <u>limitations</u> <u>CUP: Conditional use</u> <u>review required</u> <u>UUP: Unclassified use</u> <u>review required</u>	<u>N-C</u>	<u>I-C</u>	<u>B-P</u>	<u>C-C</u>	<u>D-C</u>	<u>H-C</u>	<u>PR-C</u>	<u>T-C</u>	<u>W-C</u>
Building materials and garden equipment supply	P/L _[1]		P	P	P	P/L _[28]	P		P
Car washes				P/L _[18]	P/L _[25]	P			P/L _[70]
Carpentry and cabinet shops	P/L _[1] _[2]		P	P	P	P	P		P
Casino hotels and motels				P	P		P	P	P
Cemeteries	CUP	CUP	CUP	CUP		CUP	CUP		CUP
Ceramics, manufacture						P/L _[29]			
Columbariums, crematories, mausoleums with permitted cemeteries	CUP	CUP	CUP	CUP		CUP	CUP		CUP
Commercial and industrial machinery and equipment, rental and leasing			P			P	P		
Community care facilities				P	P		P	P	P/L _[74]
Community gardens				P	P				P
Community housing services				P/L _[80]	P/L _[80]				P/L _[80]
Confectionery, manufacture			P			P		P/L _[56]	P/L _[73]
Contractors, general	P/L _[3]		P/L _[14]			P	P	P	P
Convention facilities			P	P	P	P		P	P
Correctional institutions			P						
Couriers and messengers	P/L _[3]		P				P	P	P
Data processing, business and record storage	P/L _[3]		P	P	P	P	P	P	P
Day care centers and mini-day care providers	CUP	CUP	CUP	CUP	CUP		CUP	CUP	CUP
Death care services	P/L _[3]		P	P	P	P/L _[42]	P		P
Distribution centers, home deliveries			P			P			
Drive-in or drive-through facilities	P			P/L _[18]	P/L _[25]		P		P/L _[70]

<u>Use is:</u> <u>P: Permitted</u> <u>P/L: Permitted, but</u> <u>with special</u> <u>limitations</u> <u>CUP: Conditional use</u> <u>review required</u> <u>UUP: Unclassified use</u> <u>review required</u>	<u>N-C</u>	<u>I-C</u>	<u>B-P</u>	<u>C-C</u>	<u>D-C</u>	<u>H-C</u>	<u>PR-C</u>	<u>T-C</u>	<u>W-C</u>
Dry cleaning and laundering services	P/L _[3]		P	P	P	P	P	P	P
Educational services		P	P/L _[7]	P	P/L _[27]	P/L _[37]	P	P	P
Electric power generation, biomass			P/L _[12]						
Electrical appliances and supplies, retail sales, wholesale trade and repairs						P			
Equipment rental and leasing			P	P/L _[16]	P/L _[22]	P	P		P/L _[68]
Fairgrounds and rodeos	CUP	CUP	CUP	CUP		CUP	CUP		CUP
Family day care providers					P/L _[80]		P/L _[80]	P/L _[80]	P/L _[80]
Financial and insurance services			P	P	P		P	P	P
Fish hatcheries and preserves					P				
Fix-it shops			P	P	P	P	P		P
Food, frozen or cold storage lockers			P	P	P	P			P
Food stores	P/L _[1]		P	P	P		P	P	P
Footwear and leather goods repair	P		P	P	P	P	P	P	P
Foreign trade			P/L _[13]						
Fraternal organizations/societies		P	P/L _[7]	P	P		P	P	P
Fuel dealers, other							P		
Furniture, home furnishings and equipment, sales	P/L _[1] [2]		P	P	P	P	P	P	P
Furniture, repair	P/L _[2] [3]		P	P	P	P	P	P	P
Gambling, amusement, and recreation industries			P/L _[7]	P/L _[16]	P/L _[22]		P	P	P
Garages, public						P/L _[30]			
General merchandise stores	P/L _[1]		P/L _[9]	P/L _[15]	P/L _[21]		P	P	P

Use is: <u>P: Permitted</u> <u>P/L: Permitted, but</u> <u>with special</u> <u>limitations</u> <u>CUP: Conditional use</u> <u>review required</u> <u>UUP: Unclassified use</u> <u>review required</u>	<u>N-C</u>	<u>I-C</u>	<u>B-P</u>	<u>C-C</u>	<u>D-C</u>	<u>H-C</u>	<u>PR-C</u>	<u>T-C</u>	<u>W-C</u>
Glass, edging, beveling, silvering			P			P/L _[31]			
Glass, stained glass studios	P					P			
Golf courses, with accessory driving ranges, clubhouses and pitch and putt				P	P	CUP	P		P
Golf driving ranges	CUP	CUP	CUP	CUP		CUP	CUP		CUP
Hardware store	P/L _[1]		P	P		P	P	P	P
Health care and social services			P/L _[81]	P/L _[81]	P		P/L _[81]	P/L _[81]	P/L _[74] [81]
Heating oil dealers							P		
Horticultural and landscaping services			P	P	P				P
Horticultural nurseries	UUP	UUP	UUP	UUP		P	UUP		UUP
Hospitals (except mental and alcoholic)				P	P	P	P	P	P
Hospitals (mental and alcoholic)	CUP	CUP	CUP	CUP		CUP	CUP	CUP	P/L _[74]
Hotels				P	P	P/L _[40]	P/L _[47]	P	P
Information establishments						P	P	P	P
Internet service providers			P				P	P	P
Job printing, newspapers, lithography, and publishing						P		P	
Kennels, commercial			P	P	P		P	P/L _[57]	P
Labor camps (transient)	CUP	CUP	CUP	CUP		CUP	CUP		CUP
Laboratories			P	P	P	CUP	P	P	P
Laboratories (incl. medical, dental, or photographic)			P/L	P	P	P	P	P	P
Laundry, industrial			P				P		
Legal services	P/L _[3]		P	P	P	P	P	P	P
Libraries (public)	P			P	P		P	P	P

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	<u>N-C</u>	<u>I-C</u>	<u>B-P</u>	<u>C-C</u>	<u>D-C</u>	<u>H-C</u>	<u>PR-C</u>	<u>T-C</u>	<u>W-C</u>
Light manufacturing, fabrication, and assembly			P/L _[8]						
Limousine/taxi service							P		
Machine shop			P			P/L _[32]			
Management of companies and enterprises	P/L _[3]		P	P	P		P	P	P
Manufactured home sales							P		
Marijuana producer/processor, recreational			P/L _[79]	P/L _[79]		P/L _[79]		P/L _[79]	P/L _[79]
Marijuana retailer, recreational				P/L _[79]		P/L _[79]		P/L _[79]	P/L _[79]
Marinas					P/L _[24]				
Mixed use	UUP	UUP	UUP	UUP	P/L _[26]	UUP	P/L _[50]	P/L _[58]	P/L _[58]
Motels				P	P	P/L _[40]	P/L _[47]		P
Motion picture services	P/L _[3]			P	P		P	P	P
Museums	P		P/L _[7]	P	P		P	P	P
Nursing homes (PR-R- Nursing care facility; IC-Nursing and residential care facility)				P	P		P		
Offices, business and professional	P/L _[3]		P		P/L _[26]	P	P	P	P
Open air theaters	CUP	CUP	CUP	CUP		CUP	CUP		CUP
Parcel service delivery	P/L _[3]		P			P	P/L _[51]		
Parole or probation offices			P	P	P		P		P
Pawnshop			P	P	P	P	P		P
Personal and business services	P/L _[3]		P/L _[7]	P/L _[16]	P/L _[22]		P	P	P/L _[68]
Pet boarding			P	P	P		P	P/L _[59]	P
Pet shop	P/L _[1]			P	P	P/L _[33]	P	P	P
Photocopying and duplicating services	P/L _[1] [3]		P	P	P		P	P	P
Photo finishing	P/L _[1]		P	P	P	P	P	P	P

<u>Use is:</u> <u>P: Permitted</u> <u>P/L: Permitted, but</u> <u>with special</u> <u>limitations</u> <u>CUP: Conditional use</u> <u>review required</u> <u>UUP: Unclassified use</u> <u>review required</u>	<u>N-C</u>	<u>I-C</u>	<u>B-P</u>	<u>C-C</u>	<u>D-C</u>	<u>H-C</u>	<u>PR-C</u>	<u>T-C</u>	<u>W-C</u>
Planned unit development	P								
Postal service	P		P	P	P		P		P
Professional, scientific, technical services	P/L _[3]		P	P	P		P	P	P
Professional offices, medical, dental	P/L _[3]		P	P	P		P	P	P
Public administration facilities	P		P	P/L _[17]	P/L _[23]		P/L _[49]	P/L _[60]	P/L _[69]
Public facilities	P		P/L _[10]	P	P		P	P	P
Public utility facilities	P/L _[4]		P/L _[10]		P	P/L _[34]	P/L _[52]	P/L _[61]	
Publishing, telecommunications, Internet service providers, data processing services	P/L _[3]		P	P	P	P	P	P	P
Race tracks, drag strips, motorcycles hills and Go-Kart tracks	CUP	CUP	CUP	CUP		CUP	CUP		CUP
Real estate renting and leasing	P/L _[3]		P	P	P	P	P	P	P
Recreational facilities - commercial	CUP	CUP	CUP	CUP	CUP	P	CUP		CUP
Recreational vehicles, sales and storage						P	P		
Religious grant writing, civic and professional organizations	P/L _[3]	P	P/L _[7]	P	P	P	P	P	P
Repair services	P/L _[2] [3]		P/L _[7]	P/L _[16] [18]	P/L _[22] [25]		P		P/L _[68] [70]
Repossession services	P/L _[3]		P	P	P				P
Restaurants	P		P/L _[9]	P	P	P	P	P	P
Retail services and trade	P/L _[1]		P/L _[7]	P/L _[15] [19]	P/L _[21]	P	P/L _[43]	P	P/L _[67]
Retirement housing		P		P	P		P	P	
Reupholster	P		P	P/L _[19]	P	P	P	P	P/L _[71]
Saws and filing shops			P			P			

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	<u>N-C</u>	<u>I-C</u>	<u>B-P</u>	<u>C-C</u>	<u>D-C</u>	<u>H-C</u>	<u>PR-C</u>	<u>T-C</u>	<u>W-C</u>
Sewage treatment plants	UUP	UUP	UUP	UUP		UUP	UUP		UUP
Signs, manufacturing						P			
Self-storage/mini-warehouse leasing			P				P/L _[44]	P/L _[62]	
Services to buildings and dwellings	P/L _[3]		P	P	P		P		P
Services, miscellaneous	P/L _[3]		P/L _[7]	P/L _[16] [18]	P/L _[22]		P/L _[45] [48]	P/L _[63]	P/L _[68] [70]
Spectator sports	CUP		CUP	P	P		P		P
Stadiums	CUP	CUP	CUP	CUP		CUP	CUP		CUP
Supermarkets	P/L _[1]		P	P	P		P	P	P
Taverns and cocktail lounges	P/L _[1]		P	P	P	P/L _[38]	P	P/L _[64]	P/L _[75]
Telecommunication facilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Telephone exchanges						P			
Tire sales and service	P/L _[3]						P		
Theaters				P	P	P	P	P/L _[65]	P/L _[76]
Towing operations						UUP			
Transportation and wholesale trade			P/L _[11]						
Water transportation					CUP				
Welding repair	P/L _[2] [3] [82]		P	P/L _[16] [82]	P/L _[82]	P	P		P/L _[68] [82]
Wholesale business			P			P		P/L _[66]	P/L _[77]
Wholesale trade and distribution of groceries				CUP					CUP

...

58. Mixed Use. This regulation applies to all parts of Table 18.52.010B that have a [58].

Mixed use development shall conform to the following limitations and standards in the T-C and W-C Zones:

(a) Mixed use structures within the W-C Zone shall only be permitted south of South 268th Street.

(ab) Mixed use structures shall contain area for retail trade or personal and business services at street level as follows:

(i) Pedestrian access from the public sidewalk to the retail trade or personal and business services shall be provided;

(ii) A minimum of 60 percent of the street level floor area shall be occupied by retail trade or personal and business services;

(iii) A minimum of 75 percent of the street level building frontage adjacent to public right(s)-of-way shall contain floor area for retail trade or personal and business services uses; and

(iv) Building space allocated for retail trade or personal and business service uses at the street level shall have a minimum gross interior depth dimension of 55 feet measured perpendicular to the property line abutting the public street(s) serving the site.

(bc) The City Manager or the City Manager's designee is authorized to consider and approve up to a 20 percent reduction of the bulk requirements specified in subsection (58) (ab) of this section when a development proposal incorporates on-site parking substantially at street floor level for retail trade or personal and business service uses and the City Manager or designee determines that the proposed reduction(s) does not compromise, interrupt, or interfere with the desired functionality of the building or the continuity of City pedestrian-oriented design goals in the general area and pedestrian access to the site from the public sidewalk or right-of-way.

(ed) Mixed use developments shall comply with all the requirements of chapter 18.155 DMMC, except for private recreational requirements established by DMMC 18.155.020(2).

(de) A detached structure that contains residential uses and does not meet the requirements for mixed use structures is prohibited.

...

Sec. 5. DMMC 18.210.090(17), and subsections 513(17) of Ordinance No. 1591, as amended by section 16 of Ordinance No. 1601, as amended by section 12 of Ordinance 1618-A are each amended to read as follows:

18.210.090. Required number of off-street parking spaces. The minimum number of off-street parking spaces required of each use shall be provided as follows:

....

(17) Retail, Other.

(a) C-C Zone: one parking space per 300 square feet of gross floor area.

(b) D-C and PR Zones: one parking space per 350 square feet of gross floor area.

(c) H-C Zone: one parking space per 250 square feet of gross floor area, except there are a minimum of six spaces.

(d) T-C Zone: one parking space per 400 square feet of gross floor area, except there shall be a minimum of six spaces.

(e) W-C Zone:

(i) For properties north of South 268th Street, one parking space per 250 square feet of gross floor area.

(ii) For properties south of South 268th Street, one parking space per 300 square feet of gross floor area, except there shall be a minimum of six spaces.

....

SEC. 6. Codification. Sections 1 through 6 of this Ordinance shall be codified in chapter in Title 18.127 DMMC entitled "W-C Woodmont Commercial Zone".

SEC. 7. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Sec. 8. Effective date. This ordinance shall take effect and be in full force five (5) days after its final passage by the Des Moines City Council in accordance with law.

PASSED BY the City Council of the City of Des Moines this ____ day of ____, 2016 and signed in authentication thereof this ____ day of ____, 2016.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

FOR IMMEDIATE RELEASE:

February 19, 2016

FOR MORE INFORMATION CONTACT:

Lind Simonsen – Office 206.408.5189
Cell 253.335.3843

Valley Cities investigates sale of Woodmont Recovery Center site in Des Moines

Ken Taylor, CEO of Valley Cities - Behavioral Health Care, signed an agreement on Thursday, February 18, with a potential buyer of the Woodmont property to enter into a 45-day period to complete a feasibility study and property value appraisal. Also signing the agreement was Michael Lai, CEO and Investing Partner of ML Companies, INC of USASIA Pacific EB5 Investment and SML Seattle Modern Living, LLC. The Valley Cities Board of Directors has agreed to divest of the property if a viable offer is received.

Valley Cities has an agreement with the city of Des Moines through the end of March to identify potential uses for the Woodmont property and explore all options for relocating the services that had been planned there. Conversations about potential sale of the property are part of that mix. Original plans for the 7.9 acres Woodmont Recovery Center in Des Moines on Pacific Highway near 272nd Street included administrative office space for Valley Cities, an outpatient behavioral and physical healthcare clinic, an evaluation and treatment facility, a secure detoxification unit, and a recovery café.

“We have successfully found sites in Kent and Seattle to house inpatient mental health care, substance abuse detoxification, and treatment and recovery services,” said Ken Taylor. “Between those two facilities we will be adding more than 100 desperately-needed acute-care treatment beds.”

Valley Cities is still searching for locations to house outpatient counseling services, administrative offices, and a recovery café. It is expected to take until the end of March to make any decisions about these locations and the sale of the Woodmont site.

About Valley Cities

Valley Cities, a nonprofit agency, has provided treatment services to residents of King County, primarily South King County, for over 50 years. Over 7,500 people were served in 2016. Services include licensed mental health counseling and chemical dependency treatment for people of all ages; domestic violence services; homeless outreach services and housing programs; family support programs; employment services, and specialized services for veterans and their families. Valley Cities operates offices in Auburn, Federal Way, Kent, Midway, Northgate, Rainier Beach, Renton, and soon in Enumclaw.

###

Photo caption: Valley Cities – Behavioral Health Care provides counseling and drug use recover services to over 7,500 people at seven locations in King County.

Auburn

2704 'I' Street NE
Auburn, WA 98002

Federal Way

33301 1st Way South
Suite C-115
Federal Way, WA 98003

Kent

325 West Gowe St
Kent, WA 98032

*Meridian Center for
Health - Northgate*

10521 Meridian Ave. N
Seattle, WA 98133

Midway

at HealthPoint
26401 Pacific Hwy S.
Des Moines, WA 98198

Renton

221 Wells Ave. S.
Renton, WA 98057

Rainier Beach

8444 Rainier Ave South
Seattle, WA 98118

COMING SOON

Enumclaw
1335 Cole Street
Enumclaw, WA 98022

valleycities.org
253.833.7444

A United Way Agency
Since 1967

March 10, 2016

Tony Piaseki

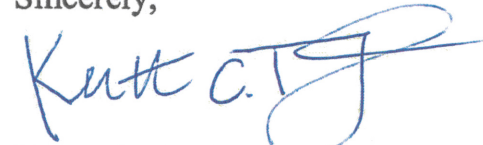
City Manager of Des Moines
21630 11th Ave South
Des Moines, WA 98198

Dear Mr. Tony Piaseki,

The purpose of this letter is to formally notify you that Valley Cities is withdrawing the Conditional Use Permit , LUA 2014-0038 and all associated permit applications, including the design review and the building permit, that are pending for the Woodmont Recovery Campus. We have decided not to pursue this project. I also request that the city refund all of the development and permit fees that Valley Cities has paid to date for this project.

In addition, it is our understanding that the city of Des Moines is considering adding allowed uses to the zoning regulations for properties zoned Woodmont Commercial south of south 268th street. As you know, Valley Cities recently announced that we have entered into a Purchase and Sale Agreement on our property in Des Moines (See Attached). We would like you to know that we fully support adding uses to the Woodmont Commercial zone, particularly mixed use, and encourage the City Council to approve such additions.

Sincerely,



Kenneth Taylor, CEO